

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKN
Index # 07 CV 3530

Plaintiff(s)

SHEET METAL WORKERS' NATIONAL PENSION FUND, ET AL.,

- against -

AFFIDAVIT

Defendant(s)

PRECISION TESTING & BALANCING, INC., AND FRED BROMBERG,
AS AN INDIVIDUAL, ET AL.,Jeffrey S. Dubin
464 New York Ave. #100
Huntington, NY 11743Court Date:
Your File No:
Our Rec. No: 256348

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

David Levine LIC#778982, being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen and resides in the State of New York.

That on 05/14/07 at 3:28PM at:

1785 NEREID AVENUE Floor 2
BRONX, NY 10466

deponent served the within SUMMONS & COMPLAINT IN A CIVIL ACTION, JUDGE'S INDIVIDUAL**
on PRECISION TESTING & BALANCING, INC. recipient therein named.

By delivering to and leaving with MR SMITH##
at 1785 NEREID AVE., BRONX, NY
and that he knew the person so served to be the MANAGING AGENT
of the corporation.

A description of the recipient or other person served on behalf of the recipient is as follows:

Approximate Age: 60 Approximate Weight: 185 Approximate Height: 5'9
Color of Skin: WHITE Color of Hair: GRAY Sex: MALE
###REFUSED NAME **RULES & INSTRUCTIONS, PROCEDURES & GUIDELINES
FOR FILING AN ELECTRONIC CASE

Deponent asked the person spoken to whether the defendant was presently in the military service of the United States Government or on active duty in the military service in the State of New York and was informed he was not. Your deponent further says that he knew the person so served to be the person mentioned and described in said legal papers as defendant/respondent therein. Your deponent is over the age of 18 years and is not a party to this action.

Sworn to before me this date 05/17/07
Bruce J Smilowitz #019M4965926
Notary Public, State of New York
Nassau County, Commission Expires 04/30/2010

[Signature]
David Levine LIC#778982